

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

555D0502

SENATE LOCAL GOVERNMENT COMMITTEE

ENGROSSED NO. **HB1086** - 2/3/00

Introduced by: Representatives Duniphan and Chicoine and Senators Ham and Reedy

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to the care and
2 maintenance of municipal cemeteries.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 9-32-20.1 be amended to read as follows:

5 9-32-20.1. ~~If a municipality finds it necessary to acquire heavy machinery to maintain the~~
6 ~~cemetery and to open and close graves, Any municipality may expend~~ a portion of the perpetual
7 care trust fund ~~may be used under the following conditions: if the trust fund is in the amount of~~
8 ~~fifty thousand dollars or more, and the governing board deems it necessary to purchase heavy~~
9 ~~machinery for the proper interment of the deceased, one thousand dollars for each five thousand~~
10 ~~dollars to maintain the cemetery. However, only amounts~~ in excess of fifty thousand dollars may
11 be expended ~~to purchase heavy machinery and used~~ for cemetery uses purposes only. The
12 expenditure of perpetual care trust funds as provided for in this section may only be used once
13 ~~in a seven-year period. For expenditures in excess of five thousand dollars, notice of hearing shall~~
14 be published twice, with the second notice not less than ten days in advance of the hearing.

15 Section 2. That § 9-32-20.2 be repealed.

16 ~~9-32-20.2. For the purposes of § 9-32-20.1, heavy machinery includes diesel or gas~~

- 1 ~~backhoes, front-end loaders and other similar machinery with the purchase price of ten thousand~~
- 2 ~~dollars or greater. Heavy machinery does not include small riding lawn mowers, power rakes,~~
- 3 ~~sod cutters, lawn vacuums or other similar machinery.~~

1 **BILL HISTORY**

2 1/15/00 First read in House and referred to Local Government. H.J. 57

3 1/20/00 Scheduled for Committee hearing on this date.

4 1/20/00 Local Government Do Pass, Passed, AYES 12, NAYS 0. H.J. 172

5 1/24/00 House of Representatives Do Pass, Passed, AYES 62, NAYS 4. H.J. 213

6 1/25/00 First read in Senate and referred to Local Government. S.J. 197

7 2/2/00 Scheduled for Committee hearing on this date.

8 2/2/00 Local Government Do Pass Amended, Passed, AYES 7, NAYS 0. S.J. 287

9 2/2/00 Local Government Place on Consent Calendar.